



**SOUTH CAROLINA
DEPARTMENT OF TRANSPORTATION**

**Policies and Procedures
for the
PREQUALIFICATION OF
JOINT VENTURE CONTRACTORS**

August 1, 2012

This policy and procedure document is a working document that may be updated as necessary to change and grow with the needs of the South Carolina Department of Transportation.

This document coincides with the *Joint Venture Prequalification Application, SCDOT Form CA-3, August 1, 2012.*

**Office of the
DIRECTOR OF CONSTRUCTION**

Table of Contents

| | |
|---|-----------|
| <i>Purpose</i> | <i>3</i> |
| <i>Executive Summary</i> | <i>3</i> |
| <i>Goal</i> | <i>3</i> |
| <i>Governing Statutes and Regulations</i> | <i>4</i> |
| <i>SCDOT Prequalification Personnel</i> | <i>5</i> |
| <i>Prequalification Application.....</i> | <i>5</i> |
| <i>Preliminary Review</i> | <i>5</i> |
| <i>Scope</i> | <i>5</i> |
| <i>If a Deficiency is Found</i> | <i>6</i> |
| <i>Non-Responsive Applicant</i> | <i>6</i> |
| <i>Review Completed</i> | <i>6</i> |
| <i>Final Review and Evaluation</i> | <i>6</i> |
| <i>Criteria for Approval of Prequalification.....</i> | <i>6</i> |
| <i>Non-Responsive Applicant</i> | <i>7</i> |
| <i>Denial of Prequalification.....</i> | <i>7</i> |
| <i>Approval of Prequalification</i> | <i>8</i> |
| <i>Expiration and Renewal of the Prequalification Certificate</i> | <i>9</i> |
| <i>Prequalification Renewal Documents</i> | <i>10</i> |
| <i>Withdrawal or Suspension of a Prequalification Certificate</i> | <i>10</i> |
| <i>Reinstatement of Contractor's Certificate</i> | <i>11</i> |
| <i>Retention of Documents</i> | <i>11</i> |
| <i>For Information and Questions</i> | <i>12</i> |
| <i>Appendix</i> | <i>A</i> |

Purpose

The purpose of this document is to establish and maintain the SCDOT's policy and procedure for conducting a prequalification review and evaluation of a Joint Venture contractor and to provide continuity in carrying out this function as required changes occur. In addition to the governing statutes, SCDOT maintains and pursues this internal procedure to ensure that the prequalification review, evaluation, and approval process is consistent and supports the goal of evaluating a Joint Venture contractor's ability to successfully complete a SCDOT construction or maintenance project.

Executive Summary

A Joint Venture is a general partnership typically formed to undertake a particular project and is usually intended to exist for a limited time period. Joint Ventures are eligible to bid as a prime contractor on construction work for the Department of Transportation if they are prequalified as herein required. Where ever the term contractor is used in this document or in the statutes referenced herein, it should be understood to include joint ventures.

State and federal statutes and regulations require the South Carolina Department of Transportation to award a construction or maintenance contract to the lowest responsive and responsible bidder. The same statutes and regulations allow the SCDOT to prequalify all bidders to ensure that the lowest responsive and responsible bidder has the ability to successfully complete the project.

The review process for the prequalification a Joint Venture contractor includes a Preliminary Review to ensure that all the requirements for submission of a prequalification application have been met. If the application passes the Preliminary Review, a Final Review and Evaluation is performed to determine if the bidder has met the criteria for prequalification.

If the application is approved, a *Prequalification Certificate* is issued to the Joint Venture contractor, allowing it to apply for bidding credentials and ultimately to submit a bid on any SCDOT construction or maintenance project let through office of the Director of Construction.

An electronic copy of this document is available on the following Internet webpage:

<http://www.scdot.org/doing/prequalified.shtml>

Goal

The goal of prequalification is to impartially evaluate and prequalify contractors, who by their responsible business practices, work experience, manpower, and equipment, demonstrate the ability to successfully complete a SCDOT construction project.

Governing Statutes and Regulations

- *South Carolina Code of Laws, Section 40-11-360. Exemptions from application of chapter; content of posters to be distributed to building permit offices.*

Article (A)(4) of this law exempts contractors performing construction work for the SCDOT from the State contractor licensing requirements because they are prequalified by the Department.

- *South Carolina Code of Laws, Section 57-5-1650. Regulations as to qualifications of contractors permitted to bid on work.*

This State statute allows the Department to establish requirements for qualification of contractors bidding on work for the Department of Transportation.

- *South Carolina Code of Regulation, Sections 63-300 through 63-306. Prequalification of Bidders.*

Article 63-300 requires all contractors bidding on SCDOT projects to be prequalified.

Article 63-301 gives the basis for prequalification.

Article 63-302 requires all prequalified contractors to be issue a Prequalification Certificate indicating that they are prequalified.

Article 63-303 requires the contractor to sign a sworn statement attesting to his ability to handle the work on which he becomes eligible to bid, a description of the equipment he owns or leases, references having knowledge of his character, experience, and capabilities, and any other information the requested by the Department.

Article 63-304 states that failure to carry out any contract will disqualify a contractor from bidding on other contracts.

Article 63-305 states that contractors that do not show satisfactory progress will not be able to bid on additional work, and contractors that show incompetency or irresponsibility may be disqualified.

Article 63-306 gives the policy and reasons for contractor disqualification and suspension from participation in contract with the Department.

Article 63-307 allows the department to use a contract performance evaluation system that may result in a minimum required contractor score being assigned to a project. This is a prequalification for bidding on the project because contractors with scores below the set minimum score are not eligible to bid on that particular project.

- *Code of Federal Regulations 23 CFR 635.110. Licensing and qualification of contractors.*

This Federal regulation allows the State Transportation Department, which in this case is the SCDOT, to prequalify bidders on Federal-aid highway construction contracts. It also goes on to state what licensing cannot be required to bid on a contract, but it can be a requirement for award.

SCDOT Prequalification Personnel

The following SCDOT personnel are involved in the prequalification process:

- Prequalification Coordinator
- Prequalification Engineer
- Director of Construction

Prequalification Application

In accordance with the *South Carolina Code of Regulations, Section 63-303* and *South Carolina Code of Laws, Section 57-5-1650*, the prequalification application for a Joint Venture contractor consists of the following documents:

- *Joint Venture Prequalification Application, SCDOT Form CA-3, August 1, 2012*, with properly notarized signatures of authorized representatives of the contractors comprising the Joint Venture.
- If the Joint Venture is clearly formed to bid on projects where the majority of the work consists of bridge cleaning and painting, copies of current *SSPC-QP1 Certificate, Protective Coatings of Complex Structures*, and *SSPC-QP2 Certificate, Industrial Hazardous Paint Removal*, are requested.
- Any additional pages used to answer questions in the application.

Samples of the documents referenced above can be found in the Appendix of this document.

In accordance with *SC Code of Regulations, Article 63-601*, a Joint Venture contractor applying for prequalification for the first time must submit the prequalification package to the Department at least seven (7) days before the first letting in which it wishes to bid. The seven (7) days are calendar days and submission means postmarked by the US postal service or hand-delivered to the Department. Delays due to inclement weather will be taken into consideration in application of this requirement.

Preliminary Review

The Prequalification Coordinator performs the Preliminary Review of renewal applications in the chronological order in which they were received with the exception that first-time applications are given priority.

Scope

The Preliminary Review consists of the following functions:

1. Log the prequalification applications into the Prequalification Log in the chronological order in which they are received.
2. Check to see that all the required documents in the application have been submitted.
3. Check to see that the signatures of the representatives of all the contractors forming the Joint Venture are present and properly notarized.
4. Check to see that all the questions in the application have a legible, coherent, and relevant answer.

If a Deficiency is Found

If there is a deficiency found in the application, the Prequalification Coordinator contacts the person named as the Contact Person in the application either by telephone, e-mail, or both. The deficiency is explained, and the contact is noted in the Prequalification Log. When the Contact Person responds, the application is updated with the submitted information. If the deficiency is minor, the Prequalification Coordinator can make the change to the application based on information in an e-mail from the Joint Venture Contact Person.

Non-Responsive Applicant

If the Joint Venture Contact Person fails to respond within two weeks after the initial contact from the Prequalification Coordinator, a follow-up contact is made. If the Joint Venture Contact Person fails to respond within two weeks after the follow-up contact, the Joint Venture is deemed non-responsive, and the application is closed. If the Joint Venture wishes to pursue prequalification, it must submit a new application and it is logged in as a new application.

Review Completed

After performing the Preliminary Review and if no deficiencies are found, or if all deficiencies have been resolved, the application is passed on to the Prequalification Engineer to perform the Final Review and Evaluation.

Final Review and Evaluation

In accordance with *South Carolina Code of Regulations, Section 63-301*, prequalification of a Joint Venture contractor is based on a verified showing of experience, responsibility record, and available equipment. A prerequisite to prequalification is a complete prequalification package furnished to the Department and signed by the authorized representatives of all of the contractors forming the Joint Venture. The signatures must be on the form provided in the *Joint Venture Prequalification Application, SCDOT Form CA-3, August 1, 2012*.

The Prequalification Engineer performs the Final Review and Evaluation of applications for the renewal of prequalification in the chronological order that they were received. First-time applications for prequalification are given priority over renewal applications.

Criteria for Approval of Prequalification

The Prequalification Engineer performs the Final Review and Evaluation using the following criteria:

- a. All questions in the application must have an acceptable answer, and there must be consistency in the answers.
- b. There must not be any intentionally false or misleading information.
- c. The Joint Venture or any of the contractors forming the Joint Venture cannot be affiliated or otherwise connected to an individual or entity currently serving a criminal sentence or have civil judgment against them for commission of a crime or act reflecting lack of business integrity or business honesty.

- d. All of the contractors forming the Joint Venture must be currently prequalified individually with the SCDOT.
- e. The Joint Venture must have sufficient field supervisors and labor manpower to perform at least 30% of the work on a highway project on which it would most likely bid.
- f. The Joint Venture must have access to sufficient and appropriate equipment to perform at least 30% of the work on a highway project that it would most likely bid.
- g. If the YES response is selected in Question 3, which deals with disqualification, suspension, or debarment of any contractor forming the Joint Venture, a full explanation must be provided with details such as which agency, when, for what reason, which company or person was involved, were there any penalties or fines assessed. All offending contractors must have made full restitution and must be in good standing with all local, state, and federal agencies.

However if any of the contractors forming the Joint Venture is currently under disqualification, suspension, or debarment, but the disqualification, suspension, or debarment is anticipated to be cleared within 90 days, and if prequalification can otherwise be approved, the decision on prequalification may be put in a "Hold" status. Otherwise, the prequalification will be denied. If at a later date, the disqualification, suspension, or debarment is cleared or the offending contractor in the Joint Venture is replaced, the Joint Venture may re-apply.

A contractor that is suspended, disqualified, or debarred cannot be replaced by a company formed with the same ownership, similar management, or principal employees as the suspended, disqualified, or debarred contractor.

- h. None of the contractors forming the Joint Venture can be under the protection of a Bankruptcy Court, have a pending petition in a Bankruptcy Court, or have pending assignment of assets for benefit of creditors.
- i. The Joint Venture or any of the contractors forming the Joint Venture cannot be currently in Default or Delinquency status with the SCDOT.

If the Prequalification Engineer needs more information concerning criteria given above, the information is requested from the Joint Venture's Contact Person. The request is noted in the Prequalification Log.

Non-Responsive Applicant

If the Joint Venture fails to respond within two weeks after the initial contact by the Prequalification Engineer, a follow-up contact is made. If Joint Venture fails to respond within two weeks after the follow-up contact, the Joint Venture is deemed non-responsive, and the application is closed. After the application is closed, and the Joint Venture wishes to pursue prequalification, it must submit a new application and it is logged in as a new application.

Denial of Prequalification

If the Prequalification Engineer finds that the application has failed to satisfy one or more of the criteria for prequalification, a *Joint Venture Prequalification Not Approved, SCDOT Form PQ-3* is prepared indicating the reason(s) for denial of prequalification. The form is signed by the Prequalification Engineer and sent to the Director of Construction for concurrence.

If the Director of Construction concurs in the denial of prequalification, he signs the *SCDOT Form PQ-3* and returns it to the Prequalification Engineer. Upon receipt of the signed *SCDOT Form PQ-3*, the Prequalification Engineer sends a letter to the Joint Venture informing it of the denial of prequalification and states the reason for the action. The letter and the *SCDOT Form PQ-3* are filed in the Prequalification Denied files.

If the Director of Construction doesn't concur in the denial of prequalification, the Director of Construction and the Prequalification Engineer discuss the application, and the application is re-evaluated.

Approval of Prequalification

If after performing the Final Review and Evaluation for first-time applicants, the Prequalification Engineer determines that in his judgment the Joint Venture has satisfied all the criteria for prequalification, a *Joint Venture Prequalification Certificate, SCDOT Form CERT-3* is prepared. The prequalification package and certificate are then sent to the Director of Construction for his review and comments. If the DOC has no comments or objections, the new *Prequalification Certificate* is signed by the Prequalification Engineer and sent to the Joint Venture.

If after performing Final Review and Evaluation for renewal applicants, the Prequalification Engineer determines that in his judgment the Joint Venture has satisfied all the criteria for the renewal of prequalification, a *Prequalification Certificate* is prepared. If there are no issues that the Prequalification Engineer feels should be brought to the attention of the DOC, the *Prequalification Certificate* is signed by the Prequalification Engineer and sent to the Joint Venture without further review.

Prequalification Certificate

In accordance with *South Carolina Code of Regulations, Section 63-302*, if prequalification is approved, a *Joint Venture Prequalification Certificate, SCDOT Form CERT-3* is prepared. The certificate includes a *SCDOT Vendor No.*, which is unique to that Joint Venture contractor. The certificate also has the Expiration Date of the certificate and the date the certificate was issued. The original *Prequalification Certificate* is mailed to the Joint Venture contractor. If the Joint Venture is a first time prequalifier, a copy of the certificate is also faxed to the Joint Venture.

At the bottom of the certificate is the latest *Contractor Performance Score (CPS)* that has been issued to the Joint Venture. More information about can be found in the *CPE Policies and Procedures*. A copy can be found on the following webpage:

http://www.scdot.org/doing/contractor_Prequalified.aspx

Expiration and Renewal of the Prequalification Certificate

All *Prequalification Certificates* have an expiration date that coincides with an alphabetic-calendar cycle. This cycle is illustrated in the table in Figure 1.

| First letter in Company Name | Expiration Date |
|------------------------------|-----------------|
| A | January 31 |
| B - C | February 28/29 |
| D - E - F - G | March 31 |
| H - I - J | April 30 |
| K - L | May 31 |
| M - N | June 30 |
| O - P | July 31 |
| Q - R | August 31 |
| S | September 30 |
| T | October 31 |
| U - V - W | November 30 |
| X - Y - Z | December 31 |

Figure 1. Expiration Schedule

For example: Able Group Joint Venture *Prequalification Certificate* would have an Expiration Date of January 31st every year. To remain prequalified and eligible to bid, barring suspension or disqualification, the Joint Venture's renewal package must be received by the SCDOT before the close of business on their *Prequalification Certificate* Expiration Date.

Although a Joint Venture's *Prequalification Certificate* will always expire on the day in the table in Figure 1, the term of the first *Prequalification Certificate* will vary depending on when the first certificate is issued. The initial term of prequalification can vary from a minimum of six (6) months to a maximum of seventeen (17) months depending on the Expiration Date shown in Figure 1 above. The following 3 examples illustrate how the term of an initial *Prequalification Certificate* can vary:

1. If the Able Group's *Prequalification Certificate* was issued on January 18, 2011, the Expiration Date on the *Prequalification Certificate* would be January 31, 2012. Its term of prequalification would be twelve (12) months.
2. If the Able Group's *Prequalification Certificate* was issued on July 18, 2011, the Expiration Date on the initial *Prequalification Certificate* would be January 31, 2012, and the term would be six (6) months.
3. If the Able Group's *Prequalification Certificate* was issued on August 18, 2011, the Expiration Date on the *Prequalification Certificate* would be January 31, 2013, because if the Expiration Date was set at January 31, 2012 as in Example 2 above, the term would be less than six (6) months. An Expiration Date of January 31, 2013 would have a term of seventeen (17) months.

After the initial term, if the Joint Venture would submit the renewal package before the certificate expires, the length of subsequent terms will always be twelve (12) months.

Prequalification Renewal Documents

The documents required in the prequalification renewal application are the same documents required for the initial prequalification application. The only difference is the current versions must be used, and any new documents required since the previous application must be submitted.

Withdrawal or Suspension of a Prequalification Certificate

“Recognizing that preserving the integrity of the public contracting process is vital to the development of a balanced and efficient transportation system and is a matter of interest to all people of the State...” South Carolina Code of Regulations, Section 63-306(A).

If a Joint Venture is disqualified or suspended by the Department, its *Prequalification Certificate* shall be immediately permanently withdrawn or temporarily suspended as determine by the Department.

In accordance with the *South Carolina Code of Regulations, Sections 63-304 through 306*, the Department may disqualify or suspend a Joint Venture from bidding for the acts or omissions:

- a. Failure to carry out a contract.
- b. Failure to maintain suitable progress on a contract.
- c. Conviction of any crime reflecting a lack of business integrity or business honesty, including but not limited to, crimes involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statement, receiving stolen property, anti-trust violations, making false claims, making any unlawful payment or gratuity, obstruction of justice, violation of ethical standards or conspiracy to commit any of the above.
- d. Civil judgment for any acts or omissions reflecting a lack of business integrity or business honesty, including, but not limited to, acts or omissions involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statements, receiving stolen property, anti-trust violations, making false claims, making an unlawful payment or gratuity, obstruction of justice, violation of ethical standards or conspiracy to commit any of the above.
- e. Final administrative decisions by any governmental agency responsible for supervising or regulating public contracts, standards of ethical conduct or licensure for any acts or omissions involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statements, receiving stolen property, anti-trust violations, making false claims, making an unlawful payment or gratuity, obstruction of justice, violation of ethical standards or conspiracy to commit any of the above.
- f. Any act or omission reflecting a lack of business integrity or business honesty, including, but not limited to, acts or omissions involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statements, receiving

stolen property, anti-trust violations, making false claims, making an unlawful payment or gratuity, obstruction of justice, violation of a debarment agreement, violation of the ethical standards or conspiracy to commit any of the above.

- g. Any act or omission reflecting a lack of business integrity or business honesty, including, but not limited to, acts or omissions involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statements, receiving stolen property, anti-trust violations, making false claims, making an unlawful payment or gratuity, obstruction of justice, violation of a debarment agreement, violation of the ethical standards or conspiracy to commit any of the above.
- h. Willful violation of any provision of a contract with the Department, or any regulatory or statutory provision relating to such contract, while serving as a contractor, subcontractor or supplier.
- i. Persistent failure to perform or incompetent performance on one or more contracts with the Department as a prime contractor, subcontractor, or supplier.
- j. Knowingly allowing any person disqualified or suspended by the Department or by any other governmental or regulatory agency, to serve as a subcontractor or supplier or to play any other role under any contract with the Department without prior written authorization from the Department.
- k. Failure to cooperate fully and completely with any investigation by the Department or any other appropriate regulatory or law enforcement agency. Such cooperation shall include, but not be limited to, disclosure of all written or computerized records and a full and complete accounting of the person's actions in the matter under investigation. Assertion of Fifth Amendment right against self-incrimination shall not be construed as a failure to cooperate.

A Joint Venture may seek relief from the disqualification or suspension by requesting a contested case hearing before an Administrative Law Judge pursuant to *South Carolina Code of Laws, Section 1-23-600(H)* and the rules of procedure for the Administrative Law Judge Division. The request for a hearing must be made within thirty (30) days of receipt of the Departments Notice of Disqualification or Suspension.

Reinstatement of Contractor's Certificate

In accordance with *South Carolina Code of Regulations, Section 63-306(H)*, the disqualified or suspended joint may apply for the reinstatement of its *Prequalification Certificate* upon completion of the satisfaction of all conditions imposed by the Department. Any application for the reinstatement of a *Prequalification Certificate* shall be subject to the then existing statutory and regulatory provisions and Departmental policies relating to prequalification of bidders.

Retention of Documents

The prequalification files are located in the Contracts Administration office. The Prequalification Certification, transmittal letter, and the Analysis of Prequalification Package Received form are stapled to the front of approved prequalification applications, which are stored in in Active Prequalification files in alphabetical order by the prequalified bidder's name. The files are maintained in the Active files until the contractor fails to renew the prequalification.

Once a Joint Venture fails to renew the prequalification, the file is moved to the In-Active files and retained for three (3) years, after which they are destroyed.

For Information and Questions

For any questions concerning Joint Venture Prequalification, please contact the SCDOT Contract Engineer by telephone at (803)737-1434 or (803)737-2043, or by mail at the following address:

SCDOT Contract Engineer
Construction Office, Room 330
PO Box 191
Columbia, SC 29202

A copy of this document is available on-line at the following Internet web site:

<http://www.scdot.org/doing/prequalified.shtml>

Appendix

Laws and Regulations

| | |
|--|-------------|
| <i>South Carolina Code of Laws, Section 40-11-360</i> | <i>A-2</i> |
| <i>SC Code of Laws, Section 57-5-1650</i> | <i>A-4</i> |
| <i>SC Code of Regulations, Sections 63-300 through 307</i> | <i>A-5</i> |
| <i>Code of Federal Regulations, 23 CFR 635.110</i> | <i>A-10</i> |

Prequalification Documents

| | |
|--|-------------|
| <i>Joint Venture Prequalification Application, SCDOT Form CA-3, August 1, 2012</i> | <i>A-11</i> |
| <i>SSPC-QP1</i> | <i>A-16</i> |
| <i>SSPC-QP2</i> | <i>A-17</i> |
| <i>SCDOT Joint Venture Prequalification Certificate, SCDOT Form CERT-3.....</i> | <i>A-18</i> |
| <i>Joint Venture Prequalification Not Approved, SCDOT Form PQ-3</i> | <i>A-19</i> |

SOUTH CAROLINA CODE OF LAWS

TITLE 40 PROFESSIONS AND OCCUPATIONS

CHAPTER 11. CONTRACTORS

ARTICLE 1. IN GENERAL

SECTION 40-11-360. Exemptions from application of chapter; content of posters to be distributed to building permit offices.

(A) This chapter does not apply to:

(1) an entity which installs fire sprinkler systems if the entity is licensed under Chapter 45 of Title 23, or burglar and fire alarm systems if the entity is licensed under Chapter 79 of Title 40;

(2) The installation of finished products, materials, or articles of merchandise that are not fabricated into and do not become a permanent fixed part of the structure. Work requiring licensure must be installed by a licensed contractor;

(3) Construction, alteration, improvement, or repair carried on within the limits of a site, the title to which is in the name United States of America or with respect to which federal law supersedes this chapter;

(4) Contractors performing construction work for the South Carolina Department of Transportation pursuant to that department's prequalification requirements with the exception of public/private partnerships performing work pursuant to Section 57-3-200;

(5) An owner of residential property who improves the property or who builds or improves structures or appurtenances on the property if he does the work himself, with his own employees, or with licensed contractors; provided that the structure, group of structures, or appurtenances, including the improvements, are intended for the owner's sole occupancy or occupancy by the owner's family and are not intended for sale or rent, and provided further, that the general public does not have access to this structure. In an action brought under this chapter, proof of the sale or rent or the offering for sale or rent of the structure by the owner-builder within two years after completion or issuance of a certificate of occupancy is prima facie evidence that the project was undertaken for the purpose of sale or rent and is subject to the penalties provided in this chapter. As used in this item, "sale" or "rent" includes an arrangement by which an owner receives compensation in money, provisions, chattel, or labor from the occupancy, or the transfer of the property or the structures on the property;

(6) An owner of nonowner-occupied property who improves the property or who builds or improves structures of less than five thousand square feet or other appurtenances on the property, either by himself or with the owner's employees, if all structural and mechanical work is performed by licensed contractors regardless of the cost of construction and if the property is not sold for two years after completion of the improvements. For purposes of this item, "structural" means foundation, pier, load-bearing partition, perimeter wall, internal wall exceeding ten feet in height, roof, floor, and any other work deemed by the board to be structural. "Mechanical" means work described in Section 40-11-410(5);

(7) An owner constructing a farm building or portable storage building with less than five thousand square feet of floor space and used only for livestock or storage;

(8) Public owners performing all or a portion of any work on a project themselves as long as the work performed falls within the limitations of a License Group 3 General Contractor or a License Group 4 Mechanical Contractor, as adjusted by an inflation factor reflecting the Department of Labor's Consumer Price Index.

(9) Renovations and maintenance projects of the South Carolina Department of Corrections whereby all labor is supplied from that department's own labor forces.

(10) The South Carolina Public Service Authority when performing maintenance and renovations to existing facilities and when performing work in accordance with Section 40-11-410(4)(n).

(B) The board shall distribute posters to each building permit office in the State requesting that the posters be placed in a conspicuous location to be read by applicants. The posters shall state the following:

"The South Carolina Contractor's Licensing Act requires general and mechanical construction to be performed by licensed contractors. Both the owner and the contractor are subject to penalties for violations of the law. Work performed on projects is exempt from this requirement only for the following reasons:

(1) The total cost of construction is less than \$5,000.00;

(2) The property will be used solely by the owner and his immediate family as a residence for a period of at least two years;

(3) For nonresidential projects, work performed by the owner is limited to nonstructural and non-mechanical portions of the project, or;

(4) The project is a farm building or portable storage building less than five thousand square feet used only for livestock or storage.

All other work must be performed by properly licensed contractors. All persons directly employed by the owner to perform work on the project are subject to state and federal laws covering occupational safety, family and medical leave, workers' compensation, social security, income tax withholding, and minimum wage requirements. Work performed must comply with all applicable laws, ordinances, building codes, and zoning regulations."

SOUTH CAROLINA CODE OF LAWS

TITLE 57

HIGHWAYS, BRIDGES AND FERRIES

CHAPTER 5.

STATE HIGHWAY SYSTEM

ARTICLE 11.

CONSTRUCTION CONTRACTS AND PURCHASES

SECTION 57-5-1650. Regulations as to qualifications of contractors permitted to bid on work.

The Department may establish such reasonable regulations as the Department may deem appropriate with respect to the qualifications of contractors allowed to bid on work of the Department. Such regulations may fix eligibility requirements for bidders according to available capital and with due regard to experience and records of past performance. But in no case shall the eligibility rating of any bidder be influenced by nationality or place of residence. No regulations with respect to the qualifications of bidders shall become effective until at least thirty days after such regulations shall have been formally adopted and published.

SOUTH CAROLINA CODE OF REGULATIONS

CHAPTER 63

DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

ARTICLE 4

ENGINEERING

SUBARTICLE 1

PREQUALIFICATION OF BIDDERS

63-300. Prequalification of Eligible Contractors.

Persons, firms or corporations eligible to bid as a prime contractor on construction work for the Department of Transportation shall have prequalified as herein required. No bids for such work will be considered by the Department of Transportation except from persons, firms or corporations that have so prequalified.

63-301. Basis for Prequalification.

Prequalification will be based on a verified showing of experience, responsibility record, and available equipment. A prerequisite to prequalification will be a sworn statement furnished to the Department by the applicant. The statement must be made on a form provided by the Department of Transportation and must include all information required by the Department.

Contractors making application for prequalification for the first time must file their statements with the Department at least seven (7) days prior to the date on which they desire to become qualified for bidding.

63-302. Certificate.

Each contractor qualifying under these rules and regulations will be furnished a Prime Contractor's Prequalification Certificate showing the contractor is prequalified and the expiration date of the certificate.

63-303. Contents of Sworn Statement.

The sworn statement called for in 63-301 shall be made by filling in the Department's standard questionnaire form and shall show:

(a) The experience of the applicant in handling the character of work for which it desires to become an eligible contractor.

(b) A description of the equipment owned or leased by the applicant.

(c) list of references, giving names of responsible persons having knowledge of the applicant's character, experience and capabilities.

(d) Such other information as may be called for in the Department's form.

63-304. Failure to Carry Out Contract as Disqualification.

No applicant who has failed to carry out any contract awarded by the South Carolina Department of Transportation will be qualified as eligible. This requirement, however, shall not serve to bar persons having so failed from serving as employees of otherwise eligible contractors.

63-305. Disqualification of Unsatisfactory Contractors.

A contractor whose progress on work underway is not satisfactory to the Department will not be awarded additional work. Contractors whose conduct of their work shows incompetency or irresponsibility may be disqualified without notice.

63-306. Disqualification and Suspension from Participation in Contracts with the South Carolina Department of Transportation.

A. Policy Statement. Recognizing that preserving the integrity of the public contracting process is vital to the development of a balanced and efficient transportation system and is a matter of interest to all people of the State, it is hereby declared:

1. The procedures for bidding and qualification of bidders on contracts involving the South Carolina Department of Transportation exist to secure the quality of public works.
2. The opportunity to bid on contracts, to participate as subcontractor or to supply goods or services to the Department is a privilege, not a right.
3. In order to preserve the integrity of the public contracting process, the privilege of transacting business with the Department should be denied to persons involved in criminal and/or unethical conduct.
4. Therefore, as a means of maintaining the integrity of the public contracting process and protecting the public at large, persons engaging in criminal and/or unethical conduct will not be allowed to transact business with the Department during the period of any suspension or disqualification.

B. Definitions.

1. Affiliate: Any business entity having direct or indirect control over, or which is controlled directly or indirectly, by any person who has been disqualified, suspended or prevented from bidding because of a contractor score. Indicia of control include, but are not limited to: interlocking management or ownership; identity of interest among family members; shared facilities and equipment; common use of employees; or any business entity organized following the suspension or disqualification of a person which has the same or similar management, ownership, or principal employees of the disqualified or suspended person.
2. Business Entity: A corporation, partnership, limited partnership, association or sole proprietorship.
3. Civil Judgment: The disposition of a civil action by any court of competent jurisdiction, whether entered by verdict, decision, settlement, stipulation or otherwise, creating civil liability for the wrongful acts complained of.
4. Commission: The Commission of the South Carolina Department of Transportation.
5. Contractor's Certificate: A Prequalification Certificate issued by the Department to qualified contractors as a necessary condition to bid on contracts with the Department.
6. Conviction: A judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, including a plea of non contendere.
7. Department: South Carolina Department of Transportation.
8. Disqualification: An action taken in accord with these regulations to exclude a person from participating as a contractor, subcontractor, supplier, or in any other role under any contract with the Department during the period of disqualification.
9. Secretary: The Secretary of Transportation of the State of South Carolina.

10. Person: Any individual, corporation, partnership, limited partnership, association, sole proprietorship or any other business entity.

11. Principal: Officer, director, owner, partner, key employee or any other person within a business entity with primary management or supervisory responsibilities; or a person who has critical influence on or substantial control over the actions or conduct at issue, whether or not employed by the business entity.

12. Suspension: An action taken in accord with these regulations that immediately excludes a person from participating in any contracts with the Department for a temporary period.

13. Unlawful payment or gratuity: Transfer of anything of value to a Department employee in violation of state statute or regulatory law or Departmental policy.

C. Disqualification. Any person who violates any of the standards of conduct identified below may be subject to disqualification or suspension. Disqualification may be imposed for:

1. Conviction of any crime reflecting a lack of business integrity or business honesty, including but not limited to, crimes involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statement, receiving stolen property, anti-trust violations, making false claims, making any unlawful payment or gratuity, obstruction of justice, violation of ethical standards or conspiracy to commit any of the above.

2. Civil judgment for any acts or omissions reflecting a lack of business integrity or business honesty, including, but not limited to, acts or omissions involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statements, receiving stolen property, anti-trust violations, making false claims, making an unlawful payment or gratuity, obstruction of justice, violation of ethical standards or conspiracy to commit any of the above.

3. Final administrative decisions by any governmental agency responsible for supervising or regulating public contracts, standards of ethical conduct or licensure for any acts or omissions involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statements, receiving stolen property, anti-trust violations, making false claims, making an unlawful payment or gratuity, obstruction of justice, violation of ethical standards or conspiracy to commit any of the above.

4. Any act or omission reflecting a lack of business integrity or business honesty, including, but not limited to, acts or omissions involving fraud, deceit, embezzlement, theft, forgery, bribery, falsification or destruction of records, bid rigging, price fixing, making false statements, receiving stolen property, anti-trust violations, making false claims, making an unlawful payment or gratuity, obstruction of justice, violation of a debarment agreement, violation of the ethical standards or conspiracy to commit any of the above.

5. Willful violation of any provision of a contract with the Department, or any regulatory or statutory provision relating to such contract, while serving as a contractor, subcontractor or supplier.

6. Persistent failure to perform or incompetent performance on one or more contracts with the Department as a contractor, subcontractor or supplier; or

7. Knowingly allowing any person disqualified or suspended pursuant to this regulation, or by any other governmental or regulatory agency, to serve as a subcontractor or supplier or to play any other role under any contract with the Department without prior written authorization from the Secretary.

8. Failure to cooperate fully and completely with any investigation by the Department or any other appropriate regulatory or law enforcement agency. Such cooperation shall include, but not be limited to, disclosure of all written or computerized records and a full and complete accounting of the person's actions in the matter under investigation. Assertion of Fifth Amendment right against self-incrimination shall not be construed as a failure to cooperate under this regulation.

D. Suspension. In the event the Department finds that the public health, safety or welfare imperatively requires emergency action, a suspension may be implemented immediately pending a hearing, which shall be promptly provided on the issue of suspension. The grounds for a suspension shall be in accord with the standards for disqualification enumerated above.

E. Procedures.

1. Notice of disqualification, suspension, or sanctions may be issued by the Secretary and shall include:

(a) A reference to the particular sections of the statutes, regulations, and rules involved;

(b) A short and plain statement of the matters asserted.

2. The SCDOT shall have broad equitable powers in the impositions of civil sanctions, with the goal of preserving the integrity of the public contracting process and protecting the public at large. Any civil sanction imposed shall be remedial in nature and may include, but not limited to:

(a) disqualification for a specific period of time;

(b) monetary penalty;

(c) restitution and reimbursement to the Department for the cost of any investigation or proceedings relating to the circumstances leading to any sanctions; and

(d) conditions which must be met prior to restoration of a Contractor's Certificate.

3. A person may seek relief from the disqualification or suspension by requesting a contested case hearing before an Administrative Law Judge pursuant to S. C. Code Section 1-23-600 and the rules of procedure for the Administrative Law Judge Division. The request for a hearing must be made within thirty (30) days of receipt of SCDOT's Notice of Disqualification or Suspension.

F. Scope of Disqualification.

1. In the event a person is suspended or disqualified under this regulation, such person, and any affiliate of such person, shall be disqualified from serving as a contractor, subcontractor or supplier or performing any other service or role under any contract with the Department during the period of suspension disqualification.

2. A violation of the terms of any suspension/disqualification may be the basis of further sanction.

3. In the event that a person disqualified under this regulation is performing or providing services or materials on a Department project at the time of said disqualification, the Department may, in its discretion, allow the disqualified person to complete its obligation under the contract when such completion is in the public interest.

4. In the event a person which is a business entity is disqualified or suspended under this regulation, such disqualification or suspension shall be applicable to any principal of said business entity.

G. Duty of Disqualified/Suspended Persons. A disqualified or suspended person shall cooperate fully with any investigation by the Department or any other appropriate regulatory or law enforcement agency. Such cooperation shall include, but not be limited to, disclosure of all written or computerized records and a full and complete accounting of the person's actions in the matter under investigation. In the event a disqualified or suspended person fails to cooperate, as required by this paragraph, further remedial measures may be taken against the person, up to and including permanent disqualification. Assertion of Fifth Amendment right against self-incrimination shall not be construed as a failure to cooperate under this regulation.

H. Reinstatement of Contractor's Certificate. Any person disqualified or suspended under this regulation shall immediately lose its Contractor's Certificate. The disqualified or suspended person may apply for the reinstatement of the Contractor's Certificate upon completion of the period of suspension or disqualification and satisfaction of all conditions imposed by any final order or settlement. Any application for the reinstatement of a Contractor's Certificate shall be subject to the then existing statutory and regulatory provisions and Departmental policies relating to pre-qualification of bidders.

63-307. Contractor Performance Evaluation.

A. Contract Performance Evaluation System.

1. The South Carolina Department of Transportation may use a contract performance evaluation system to evaluate the performance of a contractor on highway and bridge construction projects and to assign a contractor performance score. The Department shall use evaluation criteria and quality audits that include, but are not limited to:

a) Objective evaluation of how well the contractor completed projects on schedule and within the bid amount;

b) Field audits conducted during construction that evaluate the contractor's performance on active projects;

c) Objective evaluation of the merit of claims filed by the contractor based on the proportional amount of each claim that was upheld and awarded to the contractor;

d) Evaluations by the Resident Construction Engineers on the contractor's completed projects, which include rating of the contractor's performance in such areas as safety, environmental issues, the contractor's personnel and equipment, public relations, and compliance with Equal Employment Opportunities statutes, the Davis Bacon Act, and Disadvantaged Business Enterprise goals.

2. The Department may revise the evaluation criteria as it deems necessary to ensure equitable evaluation of all contractors.

B. Minimum Required Contractor Performance Score.

The Department may require bidders to have a minimum contractor performance score to bid on a project. The Department shall determine the appropriate minimum score for a project based on an evaluation of criteria that includes, but is not limited to: design complexity, critical time constraints, environmental sensitivity, complex traffic control, location in densely populated areas, need for specialized equipment, high traffic volume, and project cost. All prequalified contractors whose contractor performance score is below the minimum shall not be allowed to bid on projects that require a minimum required contractor performance score. Prequalified contractors who have never had or do not have a current contractor performance score will not be subject to this bidding restriction.

C. Definitions.

1. Minimum Required Contractor Performance Score: A minimum contractor performance score set by the Department for a particular project for acceptance of bids. The minimum score shall be set based on criteria established by the Department.

2. State Highway Engineer: The Deputy Secretary of Transportation of SCDOT.

D. Contractor Performance Score. A contractor performance score for each contractor may be determined by the Department using performance evaluations and quality audits of the contractor's performance compiled by the Department. All active contractors shall be periodically notified of their contractor performance score.

E. Contractor's Right to Review of its Performance Score. A contractor may request a conference to review the calculation of its contractor performance score and the information upon which the score is determined by requesting a review conference with the Director of Construction or his or her designee.

F. Contractor's Right to Appeal Its Contractor Performance Score. A contractor may appeal its contractor performance score to the State Highway Engineer. The appeal must be in writing and include the basis for the appeal. The State Highway Engineer may consider evidence submitted by the contractor and any other relevant evidence and consult with SCDOT staff and any other person or entity for recommendations concerning the appeal. The State Highway Engineer shall make a recommendation to the Secretary, who shall issue a final agency decision on the appeal within ninety (90) days of the receipt of the appeal.

CODE OF FEDERAL REGULATIONS

TITLE 23: HIGHWAYS

CHAPTER I--FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER G--ENGINEERING AND TRAFFIC OPERATIONS

PART 635 — CONSTRUCTION AND MAINTENANCE

Subpart A — Contract Procedures

§ 635.110 Licensing and qualification of contractors.

(a) The procedures and requirements a STD proposes to use for qualifying and licensing contractors, who may bid for, be awarded, or perform Federal-aid highway contracts, shall be submitted to the Division Administrator for advance approval. Only those procedures and requirements so approved shall be effective with respect to Federal-aid highway projects. Any changes in approved procedures and requirements shall likewise be subject to approval by the Division Administrator.

(b) No procedure or requirement for bonding, insurance, prequalification, qualification, or licensing of contractors shall be approved which, in the judgment of the Division Administrator, may operate to restrict competition, to prevent submission of a bid by, or to prohibit the consideration of a bid submitted by, any responsible contractor, whether resident or nonresident of the State wherein the work is to be performed.

(c) No contractor shall be required by law, regulation, or practice to obtain a license before submission of a bid or before the bid may be considered for award of a contract. This, however, is not intended to preclude requirements for the licensing of a contractor upon or subsequent to the award of the contract if such requirements are consistent with competitive bidding. Prequalification of contractors may be required as a condition for submission of a bid or award of contract only if the period between the date of issuing a call for bids and the date of opening of bids affords sufficient time to enable a bidder to obtain the required prequalification rating.

(d) Requirements for the prequalification, qualification or licensing of contractors, that operate to govern the amount of work that may be bid upon by, or may be awarded to, a contractor, shall be approved only if based upon a full and appropriate evaluation of the contractor's capability to perform the work.

(e) Contractors who are currently suspended, debarred or voluntarily excluded under 49 CFR part 29 or otherwise determined to be ineligible, shall be prohibited from participating in the Federal-aid highway program.

(f) In the case of a design-build project, the STDs may use their own bonding, insurance, licensing, qualification or prequalification procedure for any phase of design-build procurement.

(1) The STDs may not impose statutory or administrative requirements which provide an in-State or local geographical preference in the solicitation, licensing, qualification, pre-qualification, short listing or selection process. The geographic location of a firm's office may not be one of the selection criteria. However, the STDs may require the successful design-builder to establish a local office after the award of contract.

(2) If required by State statute, local statute, or administrative policy, the STDs may require prequalification for construction contractors. The STDs may require offerors to demonstrate the ability of their engineering staff to become licensed in that State as a condition of responsiveness; however, licensing procedures may not serve as a barrier for the consideration of otherwise responsive proposals. The STDs may require compliance with appropriate State or local licensing practices as a condition of contract award.

Direct Questions To:
G. A. Peck , Contracts Engineer
Phone: 803-737-1434
Fax: 803-737-2264
E-mail: peckga@scdot.org



SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION

Return To:
Director of Construction
SCDOT Room 330
PO Box 191
Columbia, SC 29202

JOINT VENTURE PREQUALIFICATION APPLICATION

1. JOINT VENTURE

| | | | |
|---------------------|----------------------|-----------------------------|---------------------------|
| JOINT VENTURE NAME: | <input type="text"/> | | |
| OFFICE ADDRESS: | <input type="text"/> | | |
| CITY: | <input type="text"/> | STATE: <input type="text"/> | ZIP: <input type="text"/> |
| MAILING ADDRESS: | <input type="text"/> | | |
| CITY: | <input type="text"/> | STATE: <input type="text"/> | ZIP: <input type="text"/> |
| CONTACT PERSON: | <input type="text"/> | | |
| TELEPHONE: | <input type="text"/> | FAX: | <input type="text"/> |
| E-MAIL ADDRESS: | <input type="text"/> | | |

2. COMPANIES FORMING THE JOINT VENTURE

| | | | |
|--------------------|----------------------|-----------------------------|---------------------------|
| CONTRACTOR NO. 1 : | <input type="text"/> | | |
| MAILING ADDRESS: | <input type="text"/> | | |
| CITY: | <input type="text"/> | STATE: <input type="text"/> | ZIP: <input type="text"/> |
| TELEPHONE: | <input type="text"/> | FAX: | <input type="text"/> |
| E-MAIL ADDRESS: | <input type="text"/> | | |
| CURRENT EMR: | <input type="text"/> | EFFECTIVE DATE: | <input type="text"/> |
| CONTRACTOR NO. 2: | <input type="text"/> | | |
| ADDRESS: | <input type="text"/> | | |
| CITY: | <input type="text"/> | STATE: <input type="text"/> | ZIP: <input type="text"/> |
| TELEPHONE: | <input type="text"/> | FAX: | <input type="text"/> |
| E-MAIL ADDRESS: | <input type="text"/> | | |
| CURRENT EMR: | <input type="text"/> | EFFECTIVE DATE: | <input type="text"/> |

If there are more than 2 contractors forming the Joint Venture, attach a page with the information requested above for each of the additional Contractors.

3. Is the joint venture or any of the companies forming the Joint Venture, presently suspended, disqualified, debarred, or prohibited from working or bidding with SCDOT, or any Federal, State, County, or Municipal, or other government agency?

☐ YES

☐ NO

If YES, attach a page with details such as: what agency, when, for what reason, who was involved, were there any penalties or fines assessed, and what was the result.

4. If the Joint Venture intends to bid on projects where *Bridge Cleaning and Painting* is a major portion of the work, answer questions a & b below: otherwise, skip to question 5.

- a. Does any Contractor forming the Joint Venture have a current SSPC-QP1 Certificate?

☐ YES

☐ NO

If YES, provide a copy of the certificate with this application.

- b. Does any Contractor forming the Joint Venture have a current SSPC-QP2 Certificate?

☐ YES

☐ NO

If YES, provide a copy of the certificate with this application.

5. In the table below, provide the names of people who are authorized to approve, sign, and execute documents on be-half of the Joint Venture. Use Document Type Codes from the list below.

Document Type Code Nos.:

1 - Organization's Statement of Experience and Equipment

2 - Bid Proposals, Contracts, and Bonds

3 - Change Orders/Supplemental Agreements

4 - Force Account Agreements

There must be AT LEAST ONE (1) individual for each Document Code.

| NAME | CONTRACTOR | DOCUMENT CODE |
|------|------------|---------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

AFFIDAVIT

ONE OFFICER FROM EACH OF THE CONTRACTORS FORMING THE JOINT VENTURE, BEING DULY SWORN, DEPOSES AND SAYS THAT HE/SHE IS AUTHORIZED TO EXECUTE THIS AFFIDAVIT FOR AND ON BEHALF OF, AND TO BIND THE APPLICANT JOINT VENTURE AND THEIR INDIVIDUAL COMPANY, AND THE ANSWERS TO THE FOREGOING QUESTIONS, AND FURTHER THAT ALL STATEMENTS HEREIN CONTAINED, ARE TRUE AND CORRECT TO THE BEST OF HIS/HER KNOWLEDGE.

(1)

| | |
|------------|---------|
| _____ | _____ |
| Print Name | Title |
| _____ | _____ |
| Signature | Company |

(2)

| | |
|------------|---------|
| _____ | _____ |
| Print Name | Title |
| _____ | _____ |
| Signature | Company |

(3)

| | |
|------------|---------|
| _____ | _____ |
| Print Name | Title |
| _____ | _____ |
| Signature | Company |

(4)

| | |
|------------|---------|
| _____ | _____ |
| Print Name | Title |
| _____ | _____ |
| Signature | Company |

| | | | |
|--|--|--|--|
| Notary for Signatory (1) | Notary for Signatory (2) | Notary for Signatory (3) | Notary for Signatory (4) |
| Subscribed and sworn to before me | Subscribed and sworn to before me | Subscribed and sworn to before me | Subscribed and sworn to before me |
| on day of , 20 | on day of , 20 | on day of , 20 | on day of , 20 |
| _____ Signature of Notary Public | _____ Signature of Notary Public | _____ Signature of Notary Public | _____ Signature of Notary Public |
| of County | of County | of County | of County |
| State of | State of | State of | State of |
| My Commission Expires: | My Commission Expires: | My Commission Expires: | My Commission Expires: |
| _____ | _____ | _____ | _____ |

ACKNOWLEDGEMENT
of the
SCDOT CONTRACTOR PERFORMANCE EVALUATION
POLICIES and PROCEDURES

By signing this form as an authorized representative of the Joint Venture Contractor named below, I have read and fully understand and acknowledge the *SCDOT Contractor Performance Evaluation Policies and Procedures* document posted on the SCDOT Internet website; and further, that I fully understand its impact on the Joint Venture Contractor's ability to bid on SCDOT construction projects.

(Print the Name of the Joint Venture Contractor)

(Print the Name of the Joint Venture Representative)

(Print the Title and Company Name of the Authorized Representative)

(Signature of the Authorized Representative)

NOTICE: Notary cannot be an officer of any of the
companies forming the Joint Venture.

Subscribed and sworn to before me

on _____ 20__

Signature of Notary

Notary Public

of _____ County

State of _____

My Commission Expires:

on _____ 20__

ACKNOWLEDGEMENT
of the
JOINT VENTURE CONTRACTOR' S RESPONSIBILITIES

IF THERE IS ANY CHANGE TO THE INFORMATION PROVIDED IN THIS APPLICATION AFTER IT HAS BEEN SUBMITTED, IT IS THE SOLE RESPONSIBILITY OF THE JOINT VENTURE CONTRACTOR TO SUBMIT A WRITTEN DOCUMENT ADVISING THE DIRECTOR OF CONSTRUCTION'S OFFICE OF THE CHANGE WITHIN FIFTEEN (15) DAYS OF THE OCCURRENCE OF THE CHANGE.

IT IS THE SOLE RESPONSIBILITY OF THE JOINT VENTURE CONTRACTOR TO RENEW ITS PREQUALIFICATION BEFORE THE EXPIRATION DATE OF THE CURRENT CERTIFICATE.

By signing this form as an authorized representative of the Joint Venture Contractor, I acknowledge and accept the responsibilities stated above on behalf of the Joint Venture Contractor named below:

(Print the Name of the Joint Venture Contractor)

(Print the Name of the Joint Venture Representative)

(Print the Title and Company Name of the Authorized Representative)

(Signature of the Authorized Representative)

**NOTICE: Notary cannot be an Officer of any of the
Companies forming the Joint Venture.**

Subscribed and sworn to before me

on _____ 20__

Signature of Notary

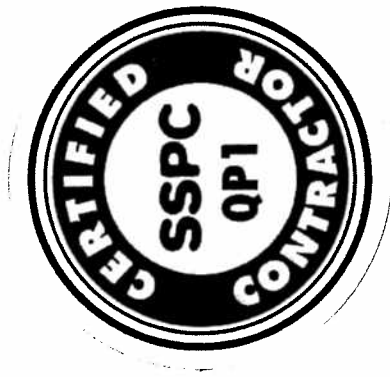
Notary Public

of _____ County

State of _____

My Commission Expires:

on _____ 20__



[Redacted]
of [Redacted]

*has met or exceeded the requirements set forth in the
SSPC Painting Contractor Certification Program for*

FIELD APPLICATION OF COATINGS COMPLEX STRUCTURES SSPC-QP1

J Bruce Healey
.....
President, SSPC

March 31, 2009 – March 31, 2010

.....
Validation Period

Owners are advised to contact SSPC at 412-281-2331 ext. 2235 or ext. 2209 to verify authenticity of certification.



[Redacted]

of

[Redacted]

has met or exceeded the requirements set forth in the
SSPC Painting Contractor Certification Program for

INDUSTRIAL HAZARDOUS PAINT REMOVAL SSPC-QP2

"A"

Category

J. Bruce Henley

President, SSPC

March 31, 2009 – March 31, 2010

Validation Period

Owners are advised to contact SSPC at 412-281-2331 ext. 2235 or ext. 2209 to verify authenticity of certification.



South Carolina Department of Transportation
Columbia, South Carolina

**SOUTH CAROLINA DEPARTMENT
OF
TRANSPORTATION**

JOINT VENTURE

PREQUALIFICATION CERTIFICATE

This Certifies that, **(JOINT VENTURE NAME)**, a Joint Venture Contractor located in **(City, State)**, having complied with the rules and regulations of the Department and the State of South Carolina, and subject to these said rules and regulations, is declared eligible to submit a bid and be awarded any construction contract issued by the Department, subject to obtaining proper bonds and insurance acceptable to the Department and complying with all other statutory and contract requirements.

ALL BIDS SUBMITTED TO THE DEPARTMENT MUST BE IN THE NAME AS SHOWN ABOVE.

SCDOT JOINT VENTURE VENDOR NO.: (1XX###)

ISSUED AT COLUMBIA, SOUTH CAROLINA, ON (DATE).

THIS CERTIFICATE EXPIRES ON (DATE).

Approved By: _____
Contracts Engineer

As of (DATE), the Joint Venture's Contractor Performance Score (CPS) is (CPS).

JOINT VENTURE PREQUALIFICATION NOT APPROVED

REASON(S) FOR NOT APPROVING THE PREQUALIFICATION OF JOINT VENTURE:

- ☐ The contractor(s) below forming the joint venture is/are not prequalified with SCDOT:
- ☐ False statement(s) in questionnaire.
- ☐ Not enough qualified personnel.
- ☐ Not enough experience.
- ☐ Not enough proper equipment.
- ☐ Answered YES to question 3 and situation not resolved.
- ☐ Other.

Submitted by:

Contracts Engineer

Date

Concurrence by:

Director of Construction

Date